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the habits of expression acquired in the French language communicated to his sentences something of ease at the expense of energy.

Mr Jefferson also resembled Dr Franklin in the character of his mind and in his fortunes. Neither of them had a predilection for political concerns. The studies most congenial to their minds were the speculations of philosophy, the discoveries of science, and the pursuits of natural history. They each had a fondness for the mechanic arts. Engaged in similar objects, they enjoyed abroad the same scientific correspondence, and arrived at the same classical honors; and the traveller sees with pride their names associated and inscribed on the contributions, which America has made to the learned cabinets of Europe.

Dr Franklin also is more known as a writer than an orator. Some of his speeches are reported. Though they are distinguished by the peculiar and extraordinary features of his mind, and were always delivered with effect, yet it is remarked, that he never spoke longer than ten minutes. Mr Jefferson too, as has been remarked, wanting strength of voice, relied altogether upon his power of writing; and as nature is observed to compensate the loss of one sense by giving more force to another, so Mr Jefferson's disuse of public speaking seems to have thrown additional energies into his written composition.

ART. X.—CRITICAL NOTICES.

- 1.—*The History of Louisiana, particularly of the Cession of that Colony to the United States of America; with an Introductory Essay on the Constitution and Government of the United States.* By BARBE-MARBOIS. Translated from the French, by AN AMERICAN CITIZEN. Philadelphia. Carey & Lea. 1830. 8vo. pp. 456.

On a former occasion, when this work first appeared in France, we presented our readers with a brief analysis of its contents, and freely gave our opinion of its character and merits.* We recur

* See the North American Review for April, 1829, No. LXIII. p. 389.

to it, therefore, only to express the great pleasure we feel at seeing published in the United States a translation of a work, which we then described, and which we still consider, as the best that has ever been written by a foreigner on this country. The tone of it throughout is temperate, fair, and candid, and the author discovers a knowledge of the principles and forms of our government, and of its practical operations, altogether unexampled in any other European writer. For this attention to our history, and deep study into the nature and effects of our political and social institutions, he claims the gratitude of every American, and above all for the pains he has taken in this work to diffuse in Europe accurate information concerning subjects, which few on the other side of the water ever pretend to examine, and which none understands. For more than fifty years M. de Marbois has watched our national progress with an eye evidently partial to our interests and gratified at our success. His writings bear ample testimony to this declaration. As a sound and judicious exposition of the nature of our government the present work is valuable, but its peculiar interest consists in the history of the Louisiana Treaty, in which M. de Marbois held a conspicuous part. In whatever light it is considered, we cannot point to a single historical work more worthy of a place in every American library.

The translator merits high praise, not more for his patriotism in making this work accessible to American readers, than for the ability with which he has executed his task. Whether we regard the accuracy of the translation, or the finish of the style and his happy talent at clothing the sense of the original in the English idiom, we must concede to him the triumph of entire success. His pursuits and studies had eminently qualified him for the undertaking, and he had the further advantage of the society and conversation of the author during its progress. The following extract from the 'Translator's Notice' was written in Paris.

'Most foreign books, which have treated of the institutions of the United States, have been compiled with such illiberal feelings, and are at the same time so very inaccurate, that when, a short time after my arrival in Paris last autumn, the following book was placed in my hands, I conceived that I could not employ a few weeks' leisure more usefully, nor in a manner more congenial with my former pursuits, than by making it generally accessible to my fellow citizens. I was in hopes that, while the circulation of the original in Europe dispelled many unfavorable prejudices respecting my native country, my humble labors might not be without some effect in attaching the people of America still more firmly to those institutions, on which an enlightened and distinguished foreigner had pronounced a high encomium.

‘The friendly spirit alluded to is not confined to the Introductory Essay, which particularly treats of the government, but will be found to pervade the whole of the subsequent History. Even while the political parties, into which the people of the United States were lately divided, were doing everything in their power to induce the world to believe, that on the election of a president were to depend the future destinies of that great and prosperous nation; the author, estimating more favorably the nature of the American institutions, confidently stated, that, “whatever might be the result of this domestic contest, the wisdom of the constitution was a guarantee as well for the moderation of the general as for the firmness of the magistrate.”

‘But the History of Louisiana and of its cession possesses claims to attention, though of a different character. It makes the citizen of the United States acquainted with the origin of his country’s title to a territory, the importance of which, before the lapse of many ages, will be scarcely inferior to that of all the states of the original confederacy combined; and it unfolds to the statesman a diplomatic transaction, little noticed at the time, which must hereafter exercise the greatest influence on the general balance of power among the nations of Christendom.

‘In most of the important events to which he alludes, the Marquis de Marbois had a direct participation, and as few foreigners can be named, whose official relations have been more beneficial to the United States than those of this respected individual, a cursory notice of his life may not be unacceptable to readers on the other side of the Atlantic. In French History he has long held an important place.

‘Barbé-Marbois was born at Metz in 1745. He early entered the diplomatic service, and was appointed in 1769 secretary of the French legation to the diet of the empire, which held its sittings at Ratisbon. From this post he was, two years afterwards, transferred in the same character to Dresden, where, as well as in Bavaria, he for some time officiated as chargé d’affaires. On quitting the latter court he seems to have had the intention of entering on another career, and he was accordingly received as a counsellor of the parliament of Metz. But from his new pursuits he was soon withdrawn by the offer of employment in America, whose revolution then attracted universal attention.

‘The government of France, having determined openly to espouse the cause of the English colonies, concluded with them in 1778 treaties of amity and alliance, and of commerce. As efficient aid in men and money was promised by its ally to the new republic, the functions of the French legation to the Congress were at that time far more important than in the ordinary cases of diplomatic representation. M. Gerard, the negotiator of the trea-

ties, who was sent to the United States in 1778 as minister plenipotentiary, having returned home the following year, was succeeded by the Chevalier de la Luzerne. M. de Marbois with great readiness accepted the appointment of secretary of legation, with which place that of consul general was united, and it is well known that he was the principal agent in the important operations of the embassy. In April, 1784, M. de la Luzerne took leave of Congress, and M. de Marbois was recognised as chargé d'affaires, in which situation he remained till his appointment in 1785 as intendant of St Domingo, an office for which he possessed, in an eminent degree, the appropriate talents. While in the United States, he married a lady of Philadelphia, by whom he had a daughter, now the wife of the Duke of Plaisance, the son of Le Brun, one of Bonaparte's colleagues in the consulate.

'In 1790 Marbois returned to France, and was named by Louis the Sixteenth his minister to the Diet at Ratisbon, but received instructions to proceed first on a special mission to the Emperor Leopold. At this time, though the king still remained an integral part of the constitution, the revolution had made great progress. The princes of the royal family and a large portion of the nobility had actually exiled themselves, and were preparing to attempt the recovery of their privileges by force of arms. When M. de Marbois came back to Paris from Vienna, he found that everything indicated the near approach of those bloody scenes which disgraced French liberty. He asked permission to resign his place, which was granted; the king and also the queen, at the same time, graciously signifying that he should be preserved for better times.

'During the reign of terror which succeeded, M. de Marbois' name having been placed on the list of emigrants, he was imprisoned, and recovered his liberty only with the fall of Robespierre. Under the constitution of the Directory he again engaged in public affairs. How far he was from upholding that old system, the abuses of which time had rendered intolerable to an enlightened nation, is sufficiently manifest from the whole tenor of his writings. In the Council of Ancients, to which he was elected in 1795, he proved, that, however much he might condemn the excesses of the revolution, to which he was a stranger, his sentiments were those of a Frenchman. He paid a just tribute to the merit of the army of Italy, and of its illustrious chief, at the same time that he attacked, without success, the law which excluded from the public service nobles and the families of emigrants.

'In 1797, when the contest took place between a majority of the Directory and the legislature, M. de Marbois was President of the Council of Ancients, and had a great share in the nomination

of M. Barthélemy as one of the Directory. A powerful faction having prevailed by a revolutionary movement, Barthélemy and Carnot, two of the Directory, as well as several members of both the legislative councils, were subjected to a species of ostracism. In this number M. de Marbois was included ; he was transported, under circumstances of peculiar aggravation, to the pestilential regions of Sinnamari in Guiana. He remained there in exile till 1800, when he was recalled by the Directory to the inhospitable island of Oleron, and soon after, Bonaparte, becoming First Consul, annulled the unjust sentence against him and his companions in misfortune.

‘On M. de Marbois’ restoration to his country, he was made a counsellor of state and director of the public treasury. The latter office was changed in 1801 to that of minister of the public treasury, when he became a member of the cabinet. While in this situation, the negotiations with the United States for the cession of Louisiana, which gave rise to the present work, were confided to him as the plenipotentiary on the part of the French republic.

‘In 1805, he received from Napoleon several honorary distinctions ; but being averse to a system, which substituted for the usual sources of revenue extraordinary contributions from all the neighboring states, the consequences of which Marbois foresaw must ultimately be a general coalition of Europe against France, he resigned the ministry of the treasury in 1806, and retired to the country. He was, however, recalled to Paris, two years afterwards, to fill the office of first president of the court of accounts, the tribunal which has jurisdiction in all cases affecting the public receipts and expenditures.* In 1813, he was made a senator of the empire.

‘On the restoration of the Bourbons in 1814, the king created M. de Marbois a peer, and he was confirmed in the presidency of the court of accounts. Having been exiled by Napoleon, during the hundred days, he was on the return of Louis the Eighteenth named minister, secretary of state, and keeper of the seals ; but he soon after resigned this office to resume his former place in the court of accounts, the duties of which, though now eighty-four years of age, he still performs with the greatest exactitude. He is also constant in his attendance in the House of Peers, where he takes part in most of the important proceedings ;

* All the French courts are divided into chambers or sections, each of which has its own president. The first president is the magistrate who presides over the whole court when the several chambers meet together on important occasions. The public accounts are settled by judicial forms.’

and, at the opening of the present session he was named on the commission to whom the king's speech was referred. In all institutions having for their object the melioration of the condition of his fellow-beings, M. de Marbois engages with deep interest, and, notwithstanding his numerous engagements, he has within a few days consented to be a member of a council formed for the suppression of mendicity.

'The labors of M. de Marbois have not prevented his finding leisure for literary pursuits. Besides writing the Introduction to the Count de Goertz's Memoir on the Negotiations of 1778 for the Succession of Bavaria, he is the author of several works on Morals and Finance, and of some translations from German and English. He likewise published, in 1816, an account of Arnold's Conspiracy, preceded by an essay on the United States, which is characterized by the same liberal spirit as the present treatise. It was translated soon after its appearance by a distinguished American scholar.' pp. vii-xiii.

- 2.—*Hin forna Lögbok Islendinga sem nefnist Grágás*, i. e. *Codex Juris Islandorum antiquissimus, qui nominatur Grágás, ex duobus Manuscriptis pergamenis (quæ sola supersunt) Bibliothecæ Regiæ et Legati Arnæ-Magnæani, nunc primum editus; cum Interpretatione Latinâ, Lectionibus Variis, Indicibus Vocum et Rerum, præmissâ Commentatione historicâ et criticâ de hujus Juris Origine et Indole, ab J. F. SCHLEGEL conscriptâ. Havniæ, 1829, Sumptibus Legati Arnæ-Magnæani. 4to. tom. i. p. 505.*

THE work with the above title, which has just appeared at Copenhagen, cannot fail deeply to interest the curiosity of those who have made the laws and literature of the ancient North in any degree the object of their attention. Iceland, it is well known, was discovered and peopled by the Norwegians at a very early period, and afterwards became the asylum of those who fled from the tyranny that prevailed in Norway under Harold the Fair-haired and his successors.

The body of customary laws, which is now given to the public in a perfect and correct form, is a singularly curious monument of the political institutions and manners of this remote age and country. It was first reduced to a written text, and solemnly adopted by the people of that island, whilst they still retained their free and republican form of government. The odd name of *Grágás* was given to the code in comparatively modern times, and signi-

fies, literally, *grey geese*. According to Mr Schlegel, it serves to distinguish the ancient from the modern law, which last was introduced about the end of the thirteenth century, when Iceland submitted to the dominion of the kings of Norway. The ancient Icelanders always used, even on ordinary occasions, a highly poetical and figurative language. It was a proverb among them, that the *grey geese*, especially those of a peculiar sort, called *Hrota* in Icelandic, and *Brenta* in old English, live to a very old age; and the Icelanders always using a highly figurative language to express even the most abstract ideas, this name has given rise to an erroneous opinion, that the laws in question were derived from the Norwegian code published by king Magnus the Good under the same title.

One of the most remarkable circumstances that strike the reader in this antique collection of laws is, the subtle genius of the Icelandic lawyers, almost rivalling that of the Roman juriconsults, although it is quite clear that they had not the remotest notion of the civil Roman law when this system of legislation was adopted; and even if they had known it, it would have been wholly inapplicable to their local situation and usages. It also elucidates the frequent reference to remarkable trials for crimes, and to other litigations growing out of the hereditary feuds which vexed this singular community, and of which the old *Sagas* contain such ample accounts.

This ancient Icelandic code was drawn up in the year 1117, by a deputation composed of the *Lagman*, or chief Man of the Law, and the cleverest lawyers of that time, from a previous collection called the laws of Ulslot, made in 927, and the customs subsequently introduced, which were all revised and recompiled by the new commissioners so as to adapt them to the situation of the commonwealth and the interests of the people in the beginning of the twelfth century. Their *projét* was afterwards adopted by the people in the *All-thing*, or general assembly, in the following year (1118), and remained in force until 1275, when the republican government was abolished, and Iceland brought under the regal yoke of Norway. This of course introduced many alterations in the legislation of the country, some of them not for the better, and they are also to be regretted, inasmuch as the *Grágás* code is more extensive and detailed than the one introduced in 1280, and which still continues to be the principal law by which the island is governed.

Several additions were made to this last in 1130, and also in the thirteenth century. The faculty of interpreting the *Grágás* was attributed to the Chief Magistrate of the island, whose duty it was also to read portions of the code every year before the assembled people in the *All-thing*, with the necessary explanations, forms of

process, and actions, &c. The *Grágás* are divided into seven grand divisions or books, with a considerable regard to method and convenience of reference. The first treats of real actions; the second, of the descent of estates; the third, of infancy, and the condition of all others who, by the imbecility of their understandings, are placed under the peculiar protection of the civil magistrate; the fourth, of the nuptial contract; the fifth, of the contract of sale, and other conventions; the sixth, of criminal law, and especially of homicide; the seventh, of everything relating to the letting of lands and rural economy. At least this is the order of matters followed in the printed text, for the manuscripts on which it is founded pursue a different arrangement. The editors have consulted the text of two manuscripts of the thirteenth or fourteenth century, it is uncertain which, but which differ from each other in a remarkable manner. Professor Schlegel has endeavored to explain this difference, and seems to attribute the *Codex Regius* to the period between 1230 and 1250, and supposes that the *Codex Arnæ Magnæi* may have been written from thirty to fifty years later. The text is accompanied with a Latin version, for the convenience of those who are unacquainted with the Icelandic language. Those who wish to study the original will find the necessary assistance in the *Index Vocum*, prepared by the translator, M. Sveinfivernsen.

3.—*Danish Grammar, adapted to the Use of Englishmen, with Extracts and Dialogues, &c.* By PROFESSOR ERASMUS RASK. Copenhagen. 1830. 8vo.

THIS small volume, by the great northern philologist, supplies what was very much wanted; for the old Danish grammar by Captain Schneider, which was published about thirty years ago, gave a very imperfect idea of the Danish language. The present work is adapted to the system of the old Scandinavian or Icelandic, and of the Anglo-Saxon and the ancient Gothic dialects. It will, therefore, not only be useful to the generality of students who wish to acquire a knowledge of the language sufficient for reading a book, or conversing with the natives of Denmark and Norway, but also to philologists, who wish to study and compare the different idioms of the North of Europe with each other, or to make use of them for the purposes of general grammar.

The grammatical part of the work is divided into four books; the first treating of orthography; the second, of inflection; the third, of the formation of words, or etymology, and the compounding of words; the fourth, of syntax. In treating of inflections,

our author rejects all cases formed by prepositions, and all tenses formed by auxiliary verbs, as Mr Grant has done in his English grammar. Of the use of the auxiliary verbs, Professor Rask treats in a separate section, but of their inflection he speaks in the class to which they bear the nearest relation. So also he divides the other irregulars between the regular conjugations and classes to which they seem naturally to belong, so that he has no chapter on the irregular verbs. In the nouns, he admits but of two cases, the nominative and genitive, but in some of the pronouns, three, there being also an objective case, just as in English; e. g.

<i>de,</i>	they,
<i>dem,</i>	them,
<i>denes,</i>	theirs.

In the verbs, our author has but two tenses, the present and past, so that if it were not for the compounding of the definite article with the nouns and for the passive voice in the verbs, the whole structure of the language, as exhibited by him, would be extremely like that of the English.

The grammar makes about one half of the volume, and contains an appendix on the Gothic or German alphabet, which is still much used in Denmark in printed works. In this part of the book the words are occasionally accented, and in the extracts almost always; and this is, so far as we know, the first Danish grammar, in any foreign language, where an accentuation of the words is attempted, though very material in order to distinguish the different sounds of *e* and *o*, as also the accented syllable in long words, which is as varied as in English.